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APR 26 2007**UNITED STATES PATENT AND TRADEMARK OFFICE**

Board of Patent Appeals and Interferences

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS, MN
55440-1022Appeal No: 2007-1154
Appellant: TOMMY EKSTROM
Application No: 09/367,950
Hearing Room: A
Hearing Docket: A
Hearing Date: Thursday, May 17, 2007
Hearing Time: 9:00 am
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450**NOTICE OF HEARING**
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within **TWENTY-ONE (21) DAYS** from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

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In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ☒ HEARING ATTENDANCE CONFIRMED () HEARING ATTENDANCE WAIVED
Signature of Attorney/Agent/Appellant4/26/07
Date34,819
Registration No.Names of other visitors expected to accompany counsel: Allison Hatton
For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
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From Allyson R. Hatton, Ph.D.
Technology Specialist

Re APPEAL NO. 2007-1154
APPLICATION NO. 09/367,950

Number of pages
including this page 2

Message

Attached is a confirmation to attend the oral hearing in the above application, which is scheduled for May 17, 2007. This confirmation is being faxed after the deadline of April 19, 2007 (21 days after the date of the Notice of Hearing ("the Notice"), which is March 29, 2007), because we have no record that the Notice was ever received by us. We only became aware of the Notice by a telephone call today from Eleanor Cook, of the Board of Patent Appeals and Interferences, to Applicant's representative, Allyson Hatton. Applicant respectfully requests that the Board accept the attached confirmation to attend the scheduled hearing.

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at 617 542-5070 to arrange for its return. Thank you.